

ing, Irrigation and Drainage, to whom was referred

H. B. No. 138, A bill to be entitled "An Act to amend Chapter 75 of the Acts of the First Called Session of the Forty-third Legislature so as to create a conservation and reclamation district to be known as Guadalupe-Blanco River Authority, pursuant to and for the purpose set forth in Section 59 of Article 16 of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate, without power to levy taxes or assessments, or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

HOPKINS, Vice-Chairman.

Committee Room,

Austin, Texas, October 11, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 7,

A Concurrent Resolution, "Granting Cleo Fletcher permission to sue the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, October 10, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 12,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, October 11, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 134, A bill to be entitled "An Act granting aid to the property in and inhabitants of Orange County, Texas, made necessary by reason of the location of Orange County on the Gulf Coast and by reason of the calamitous overflows, floods, and storms which caused great destruction of property and loss of life in said county; remitting, releasing, granting, and donating to the property in and inhabitants of said county and to Orange County nine-tenths (9/10) of all ad valorem taxes levied, or to be levied, on property in said county, including the rolling stock of railroads for the years 1932-1957, both inclusive; providing that all grants, remissions and donations shall apply to taxes collected for State General Revenue purposes only; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Vice-Chairman.

SIXTEENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

October 12, 1935.

The Senate met at 9:50 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter Woodul.

Senator Excused.

Senator Neal was excused on account of important business on motion of Senator Hornsby.

House Bill No. 1.

Pending business was H. B. No. 1 with pending amendment by Senators Martin and Woodruff.

Senator Hill had the floor on discussion of the amendment.

Point of Order

Senator Hill raised a point of order against the President of the Senate making any more speeches on H. B. No. 1.
Overruled.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives, Austin, Texas, October 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 43, A bill to be entitled "An Act relating to the compensation of district, and certain designated county and precinct officers and providing the method and means by which such officers shall be compensated for their services; providing for the appointment and payment of deputies, assistants and clerks in district, county, and precinct offices; limiting the payment of fees and commissions by the State in certain instances; requiring the keeping of books and records by such officers and the making of reports to designated authorities; etc., and declaring an emergency."

H. B. No. 140, A bill to be entitled "An Act creating the Leon River Flood Control District, a conservation and reclamation district, to be a governmental agency, body politic and corporate; prescribing and limiting the powers, rights, privileges, functions, and liabilities of such District, and prescribing the manner of their exercise; making an appropriation; declaring the Act to be severable; and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act to create the Nueces River Conservation and Reclamation District under the authority of Section 59, of Article 16, of the Constitution of Texas authorizing subordinate districts and for the creation and government thereof; defining the powers and duties of said Districts, etc., and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act making an appropriation of \$259.44 to pay W. P. McLean, Jr., for twenty-four days attendance as Special Associate Justice of the Supreme Court of Texas, and to pay the sum of \$306.88, to Alvin C. Owsley for twenty-eight days attendance as Special Chief Justice of the Supreme Court of Texas, and declaring an emergency."

H. B. No. 123, A bill to be entitled "An Act creating a special road law for Swisher County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of July 8, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

H. B. No. 144, A bill to be entitled "An Act to amend Sections 6 and 7 of Chapter 24, Acts of the Regular Session, Thirty-eighth Legislature, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Referred.

H. B. No. 43 was read and referred to the Committee on State Affairs.

H. B. No. 140 was read and referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 141 was read and referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 147 was read and referred to the Committee on Finance.

H. B. No. 123 was read and referred to the Committee on Highways and Motor Traffic.

H. B. No. 144 was read and referred to the Committee on Education.

House Bill No. 1.

The question recurred on the pending amendment by Senators Martin and Woodruff.

The amendment was lost by the following vote:

Yeas—10.

Beck.	Martin.
Burns.	Nelson.
DeBerry.	Sanderford.
Collie.	Sulak.
Hill.	Woodruff.

Nays—14.

Blackert.	Oneal.
Cotten.	Poage.
Davis.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Shivers.
Hornsby.	Stone.
Isbell.	Van Zandt.
Moore.	Westerfeld.

Absent—Excused.

Fellbaum. Regan.
Neal. Small.
Pace.

Senator Stone was recognized and called up his amendment which had been laid on the table subject to call.

Senator Stone sent up the following amendment to the pending amendment by Senators Stone, Sulak and Holbrook:

Amend Stone amendment by inserting the following after the word volume wherever same may appear, to wit: "except vinous or malt beverages now authorized in such area or that may hereafter be authorized in such area."

STONE.

Read.

Motion to Table.

Senator Van Zandt moved to table the amendment to the amendment.

Point of Order.

Senator Hornsby raised the point of order that no Senator could interrogate another repeatedly, without first addressing the Chair.

The Chair sustained the point of order.

Senator Hornsby called for the enforcement of the rules.

The Chair requested the Senators to preserve order and limit the questions asked.

The motion to table the Stone amendment, failed by the following vote:

Yeas—12.

Beck. Isbell.
Burns. Oneal.
Collie. Poage.
Cotten. Redditt.
Davis. Van Zandt.
DeBerry. Woodruff.

Nays—14.

Blackert. Nelson.
Hill. Rawlings.
Holbrook. Sanderford.
Hopkins. Shivers.
Hornsby. Stone.
Martin. Sulak.
Moore. Westerfeld.

Absent—Excused.

Fellbaum. Regan.
Neal. Small.
Pace.

The amendment was adopted by viva voce vote.

The question recurred on the adoption of the pending amendment by Senator Stone as amended by Senator Stone.

Point of Order.

Senator Cotten raised the point of order that Senator Sulak was making a speech and not asking a question.

The Chair sustained the point of order and requested the Senator to state his question.

Motion for Previous Question.

Senator Hornsby moved the previous question on the pending amendment as amended.

The motion was duly seconded.

The motion to order the previous question prevailed by the following vote:

Yeas—14.

Beck. Isbell.
Burns. Nelson.
Collie. Oneal.
Davis. Poage.
DeBerry. Sanderford.
Hill. Van Zandt.
Hornsby. Woodruff.

Nays—11.

Blackert. Rawlings.
Cotten. Shivers.
Holbrook. Stone.
Hopkins. Sulak.
Martin. Westerfeld.
Moore.

Absent—Excused.

Fellbaum. Redditt.
Neal. Regan.
Pace. Small.

The amendment by Senator Stone, et al., as amended was lost by the following vote:

Yeas—10.

Blackert. Rawlings.
Holbrook. Shivers.
Hopkins. Stone.
Martin. Sulak.
Moore. Westerfeld.

Nays—15.

Beck.	Isbell.
Burns.	Nelson.
Collie.	Oneal.
Cotten.	Poage.
Davis.	Sanderford.
DeBerry.	Van Zandt.
Hill.	Woodruff.
Hornsby.	

Absent—Excused.

Fellbaum.	Redditt.
Neal.	Regan.
Pace.	Small.

Reason for Vote.

I subscribe to the principle that the law should be enforced in both dry and wet territories. The authors of this amendment favor the return of the saloon, I do not. They favor unrestricted sales of whiskey in wet territory. I think the mandate of the people was otherwise. All they want now is to get a majority on the conference committee and get the saloon back in another name. I will not go with them on such a scheme though. I favor the principal involved but not the motives of the authors.

HILL.

Motion to Reconsider.

Senator DeBerry moved to reconsider the vote by which the amendment by Senator Stone as amended, failed of adoption.

Motion to Table.

Senator Van Zandt moved to table the motion to reconsider.

The motion to table prevailed by viva voce vote.

Amend H. B. No. 1 by adding after Sec. 18 (n) a new section to be known as Sec. (n)-1, to read as follows:

"Sec. (n)-1. No permit shall be issued in dry territory as herein defined, except under the foregoing Sec. (n) of this Act. Anyone holding such a permit in dry territory shall, on or before the tenth day of each month, file with the county clerk of the county in which such permit is issued, and with the Board herein created, a statement under oath, showing the sales made during the next preceding calendar month, the

names of all persons to whom sales were made, the quantity sold to each person, the name of the physician issuing the prescription under which each sale was made, and the amount received on each sale. Such statement shall be accompanied by a copy of each prescription upon which a sale was made. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500 and by confinement in the county jail for a period of time not more than two years.

STONE.

Read and pending.

A second reading was called for. Senator DeBerry yielded to Senator Stone with the understanding that he would not lose the floor.

Recess.

On motion of Senator Stone the Senate at 12:09 recessed until 2:00 o'clock p. m.

After Recess.

The Senate met 2:00 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 1.

The question recurred on the pending amendment by Senator Stone.

The roll call developed no quorum as shown by the following roll call:

Yeas—9.

DeBerry.	Rawlings.
Hill.	Shivers.
Holbrook.	Stone.
Martin.	Westerfeld.
Moore.	

Nays—11.

Beck.	Oneal.
Burns.	Poage.
Collie.	Sanderford.
Cotten.	Van Zandt.
Hornsby.	Woodruff.
Isbell.	

Absent.

Blackert.	Nelson.
Davis.	Redditt.
Hopkins.	Sulak.

Absent—Excused.

Fellbaum. Regan.
Neal. Small.
Pace.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 60, A bill to be entitled
"An Act prescribing the amount of
deductions from contributions of cer-
tificate holders made by the licensee
of proprietor of any horse racing es-
tablishment within this State; etc.,
and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Bill Referred.

H. B. No. 60 was read and referred
to the Committee on State Affairs.

Motion to Recess.

Senator Rawlings at 2:05 o'clock
p. m. moved that the Senate stand
at recess until Monday morning at
10 o'clock.

The motion lost by viva voce vote.

Senator Rawlings moved that the
Senate recess until 10 o'clock a. m.
Sunday.

Point of Order.

Senator Sanderford raised the
point of order that Sunday was not
a Legislative day therefore the mo-
tion by Senator Rawlings was not in
order.

Overruled.

The motion to recess until Sun-
day lost by the following vote:

Yeas—3.

Sanderford. Westerfeld.
Stone.

Nays—17.

Beck. Martin.
Burns. Moore.
Collie. Oneal.
Cotten. Poage.
DeBerry. Rawlings.
Hill. Shivers.
Holbrook. Van Zandt.
Hornsby. Woodruff.
Isbell.

Absent.

Blackert. Nelson.
Davis. Sulak.
Hopkins.

Absent—Excused.

Fellbaum. Redditt.
Neal. Regan.
Pace. Small.

Motion for Call of Senate.

Senator Van Zandt moved that a
call of the Senate be made to secure
and maintain a quorum until final
disposition of H. B. No. 1.

Point of Order.

Senator Moore raised the point of
order that the motion by Senator
Van Zandt was out of order as only
one step at a time could be con-
sidered by the Senate.

The Chair sustained the point of
order.

The Chair recognized Senator Van
Zandt to change his motion to be
that the call be made to maintain a
quorum until engrossment of the
bill.

Point of Order.

Senator Moore raised the point of
order that the second motion was
out of order as it predisposes that
the Senate will engross the bill
today.

Overruled.

The call was seconded.

The call of the Senate was ordered
by the following vote:

Yeas—11.

Beck. Hill.
Burns. Hornsby.
Collie. Oneal.
Cotten. Poage.
Davis. Van Zandt.
DeBerry.

Nays—10.

Holbrook.	Sanderford.
Isbell.	Shivers.
Martin.	Stone.
Moore.	Sulak.
Rawlings.	Westerfeld.

Absent.

Woodruff.

Absent—Excused.

Blackert.	Pace.
Fellbaum.	Redditt.
Hopkins.	Regan.
Neal.	Small.
Nelson.	

The roll call disclosed a quorum present.

Personal Privilege.

Senator Rawlings spoke on a point of personal privilege and stated that a call of the Senate could not be made to maintain a quorum, if a quorum was present.

House Bill No. 1.

Amend the Stone amendment by striking out the words "in dry territory" wherever it appears.

COLLIE.

Read and pending.

Point of Personal Privilege.

Senator Oneal spoke on the point of personal privilege.

The pending amendment by Senator Collie was adopted by viva voce vote.

The pending amendment by Senator Stone as amended was adopted by the following vote:

Yeas—14.

Collie.	Poage.
DeBerry.	Rawlings.
Holbrook.	Shivers.
Hornsby.	Stone.
Hughston.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.
Oneal.	

Nays—9.

Beck.	Isbell.
Burns.	Redditt.
Cotten.	Sanderford.
Davis.	Van Zandt.
Hill.	

Absent—Excused.

Blackert.	Nelson.
Fellbaum.	Pace.
Hopkins.	Regan.
Neal.	Small.

Amend H. B. No. 1 by inserting immediately after the word "firms" in the third line of the last paragraph of Section 26 the following: "associations and corporations."

ONEAL,
SMALL.

Read and adopted.

Amend sub-Section "N" of Section 18, page 34, as follows: Change the words and figures twenty-five (\$25.00) dollars to ten (\$10.00) dollars, the words and figures five hundred (\$500.00) dollars to thirty (\$30.00) dollars, and the words and figures ten (\$10.00) dollars to two hundred fifty (\$250.00) dollars. And add the following sentence to the end of said Section, to-wit: "Such wholesale druggists permit shall only authorize the sale of liquor to drug stores holding a permit to sell liquor for medicinal purposes; and it shall be unlawful for such wholesale druggists to sell liquor to any other person, and any unlawful sale on the part of such wholesale druggists shall authorize the forfeiture of the permit, in addition to subjecting the owners of such permit to the other penalties prescribed by this Act."

ONEAL,
SMALL.

Read and pending.

Senator Martin asked for a division of the bill and sent up the following as a substitute for the first part of bill:

Amend H. B. No. 1, page 33, by striking out all of said page from and including the words "no such liquor," down to and including figures "(\$25)" on page 34.

MARTIN.

Read.

Point of Order.

Senator Oneal raised the point of order that the substitute offered by Senator Martin was not a proper substitute, and not germane to the amendment.

Senator Martin withdrew his amendment.

Amend Oneal amendment by striking out the words and figures "thirty dollars (\$30.00)" and substituting in lieu thereof the words and figures "one hundred fifty dollars (\$150.00)."

HOPKINS.

Read.

The amendment was adopted by the following vote:

Yeas—15.

Beck.	Rawlings.
Burns.	Redditt.
Collie.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	

Nays—10.

Blackert.	Nelson.
Cotten.	Oneal.
DeBerry.	Poage.
Hill.	Van Zandt.
Isbell.	Woodruff.

Absent—Excused.

Davis.	Pace.
Fellbaum.	Regan.
Neal.	Small.

Amend Oneal amendment by striking out the figures "\$250.00" and insert in lieu thereof the figures "\$500.00."

SULAK.

Read.

Substitute for Sulak amendment:
Amend Oneal amendment by striking out the words and figures "\$250.00" and inserting in lieu thereof "\$2,500.00."

BECK.

Read.

The substitute by Senator Beck was adopted by the following vote:

Yeas—14.

Beck.	Rawlings.
Burns.	Redditt.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Martin.	Sulak.
Moore.	Woodruff.

Nays—10.

Blackert.	Isbell.
Collie.	Nelson.
Davis.	Oneal.
DeBerry.	Poage.
Hornsby.	Van Zandt.

Absent—Excused.

Cotten.	Regan.
Fellbaum.	Small.
Neal.	Westerfeld.
Pace.	

The amendment as substituted was adopted by viva voce vote.

The Oneal amendment as amended was adopted by viva voce vote.

Amend Section 24, subdivision "C," page 40, by striking out the words and figures "10 cents (10)," and substituting in lieu thereof the words and figures "five cents (5c)."

SMALL,
ONEAL.

Read and pending.

Senator Hill was recognized for a privileged motion.

Senator Hill moved that the Senate stand at ease for 30 minutes.

The Chair ruled that the motion was not a privileged one.

Senator Collie asked unanimous consent to insert in his previously adopted amendment a few words.

Senator Rawlings objected.

Substitute for Oneal amendment:

Amend Section 24, subdivision "c," page 40, by striking out the words and figures "10 cents," and substituting in lieu thereof the words and figures "two cents (2c)."

SHIVERS.

Read.

The substitute was adopted by the following vote:

Yeas—17.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Rawlings.
Davis.	Sanderford.
Hill.	Shivers.
Holbrook.	Stone.
Hopkins.	Van Zandt.
Hornsby.	

Nays—7.

Cotten.	Poage.
DeBerry.	Sulak.
Nelson.	Woodruff.
Oneal.	

Absent—Excused.

Fellbaum.	Regan.
Neal.	Small.
Pace.	Westerfeld.
Redditt.	

The Oneal amendment as substituted was adopted by viva voce vote.

Motion to Recess.

Senator Sulak at 4 o'clock p. m. moved that the Senate recess until Monday at 10 o'clock a. m.

The motion lost by the following vote:

Yeas—10.

Hill.	Rawlings.
Holbrook.	Sanderford.
Hopkins.	Stone.
Hornsby.	Sulak.
Moore.	Westerfeld.

Nays—15.

Beck.	Martin.
Blackert.	Nelson.
Burns.	Oneal.
Collie.	Poage.
Cotten.	Shivers.
Davis.	Van Zandt.
DeBerry.	Woodruff.
Isbell.	

Absent—Excused.

Fellbaum.	Redditt.
Neal.	Regan.
Pace.	Small.

House Bill No. 1.

Amend H. B. No. 1, Section 24, subdivision "D," by striking out on line 1 of said subdivision, the words and figures "sixty cents (60c)," and substituting in lieu thereof the words and figures "ten cents (10c)."

SMALL,
ONEAL.

Read.

Senator Shivers sent up the following amendment:

Amend Oneal amendment by striking out "10c" and substituting "5c."

SHIVERS.

Read.

The amendment by Senator Shivers was adopted by the following vote:

Yeas—13.

Beck.	Moore.
Blackert.	Rawlings.
Burns.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Isbell.	Westerfeld.
Martin.	

Nays—12.

Collie.	Nelson.
Cotten.	Oneal.
Davis.	Poage.
DeBerry.	Sulak.
Hill.	Van Zandt.
Hornsby.	Woodruff.

Absent—Excused.

Fellbaum.	Redditt.
Neal.	Regan.
Pace.	Small.

The Oneal amendment as amended was adopted.

Senator Martin sent up the following:

Amend H. B. No. 1, page 33, by striking out all of said page from and including the words "no such liquor" down to and including figures "\$25.00" on page 34.

MARTIN.

Read.**Motion for Previous Question.**

Senator Woodruff was recognized for a privilege motion.

Senator Woodruff moved that the previous question be ordered on the pending amendment and the bill.

The motion was seconded by five members.

Senator Beck asked unanimous consent to amend the motion to allow all the amendments to be offered and that they be voted upon, without debate.

There were objections.

The motion lost by viva voce vote.

Motion to Table.

Senator Van Zandt moved to table the Martin amendment.

The motion to table lost by the following vote:

Yeas—12.

Collie.	Hill.
Cotten.	Hornsby.
DeBerry.	Nelson.

Oneal.
Poage.
Stone.

Sulak.
Van Zandt.
Woodruff.

Nays—13.

Beck.
Blackert.
Burns.
Davis.
Holbrook.
Hopkins.
Isbell.

Martin.
Moore.
Rawlings.
Sanderford.
Shivers.
Westerfeld.

Absent—Excused.

Fellbaum.
Neal.
Pace.

Redditt.
Regan.
Small.

The amendment was lost by the following vote:

Yeas—12.

Beck.
Burns.
Davis.
Holbrook.
Hopkins.
Isbell.

Martin.
Moore.
Rawlings.
Sanderford.
Shivers.
Woodruff.

Nays—13.

Blackert.
Collie.
Cotten.
DeBerry.
Hill.
Hornsby.
Nelson.

Oneal.
Poage.
Stone.
Sulak.
Van Zandt.
Westerfeld.

Absent—Excused.

Fellbaum.
Neal.
Pace.

Redditt.
Regan.
Small.

Amend H. B. No. 1, page 33, line 8, after the word "physician," by striking out the words "in the active practice in good standing with his profession," and substituting therefor the following: "licensed to practice medicine in the State of Texas."

MARTIN.

Read and adopted.

Amend H. B. No. 1 by adding immediately before Section 36, page 50, the following:

"Any person selling or delivering any intoxicating liquor in this State, at a time or in a place where or when at the time of such sale or delivery same constituted a violation of this Act or any part of this

Act. Said person so selling or delivering said intoxicating liquor may be prosecuted in any county into which or through which same may be thereafter carried and all that will be necessary for the State to prove will be that said sale so made or delivery made was at the time or place a violation of the law and that said liquor was thereafter carried into or through the county in which venue in said prosecution is laid.

MARTIN.

Read.

The amendment was lost by the following vote:

Yeas—11.

Beck.
Burns.
Collie.
Hill.
Martin.
Moore.

Nelson.
Shivers.
Stone.
Sulak.
Woodruff.

Nays—13.

Blackert.
Cotten.
Davis.
DeBerry.
Holbrook.
Hopkins.
Hornsby.

Isbell.
Poage.
Rawlings.
Sanderford.
Van Zandt.
Westerfeld.

Absent—Excused.

Fellbaum.
Neal.
Oneal.
Pace.

Redditt.
Regan.
Small.

Personal Privilege.

Senator Martin spoke on a point of personal privilege.

Amend H. B. No. 1 by striking out that part of Section 7 down to the paragraph beginning with the words "the principal office," and insert in lieu thereof the following: "there is hereby created a board to be known as the Liquor Control Board, consisting of three members as follows: The State Tax Commissioner, who shall be chairman, the chairman of the Board of Control who shall be secretary to the liquor Control Board, and the Comptroller of Public Accounts, who shall have charge of the collection of license fees and taxes."

SANDERFORD.

Read and pending.

Senator Excused.

Senator Isbell was excused from the call of the Senate on account of urgent business, on motion of Senator Hornsby.

House Bill No. 1.

Senator Sulak sent up the following amendment to the pending amendment:

Amend Sanderford amendment by striking out where there appears, "chairman of the Board of Control," and insert in lieu thereof "State Treasurer."

SULAK.

Read and pending.

Motion to Adjourn.

Senator Westerfeld at 5:12 o'clock p. m. moved that the Senate stand adjourned until 9:30 o'clock a. m. Monday.

Senator Hopkins moved that the Senate recess until 10 a. m. Monday.

Senator Hopkins yielded to Senator Woodruff to send up the following resolution:

S. C. R. No. 9.

Be It Resolved, By the Senate of the Forty-fourth Legislature, First Called Session, of Texas, the House of Representatives concurring, that the joint rules of the two Houses, including Rules Nos. 11 and 30, be, and they are hereby suspended as to S. B. No. 52, relating to the erection of a library building at North Texas State Teachers College, Denton, Texas; and it shall be in order to take up and consider said bill at any time during this Session, without first referring to committee, until finally disposed of.

WOODRUFF.

Senator Woodruff moved to suspend the rule requiring resolutions be referred to a committee.

The motion prevailed.

S. C. R. No. 9 was adopted by unanimous consent.

Recess.

The motion to recess prevailed by the following vote:

Yeas—13.

**Burns.
Hill.
Holbrook.**

**Hopkins.
Hornsby.
Martin.**

**Moore.
Rawlings.
Redditt.
Sanderford.**

**Shivers.
Stone.
Westerfeld.**

Nays—12.

**Beck.
Blackert.
Collie.
Cotten.
Davis.
DeBerry.**

**Nelson.
Oneal.
Poage.
Sulak.
Van Zandt.
Woodruff.**

Absent—Excused.

**Fellbaum.
Isbell.
Neal.**

**Pace.
Regan.
Small.**

APPENDIX.**Petitions and Memorials.**

Austin, Texas, Oct. 11, 1935.

Whereas, The Officers, Executive Committee and Legislative Committee of the County Judges and County Commissioners Association of Texas has met in Austin this 11th day of October, 1935; and,

Whereas, The relief problem in our State demands and requires some immediate action; and,

Whereas, State relief funds will be totally exhausted by January 1, 1936; and,

Whereas, The Federal Government has announced its definite intention of going out of business of direct relief by December 1, 1935; and,

Whereas, The various projects of the Works Progress Administration, even when under full sway, will reduce the present relief rolls not more than fifty per cent; and,

Whereas, The proposed Old Age Pension system will benefit only the aged people now on relief; and,

Whereas, The Social Security Act provides for certain Federal funds for the aid of mothers with no other bread-winners in the family, if and when the State shall set proper machinery for administration and disbursement of said funds which necessitates legislative action; and,

Whereas, There will remain upon direct relief large numbers of people incapacitated by age, various diseases, physical and mental; and,

Whereas, Cities and counties, particularly the urban districts, will be unable to provide for this very large

number of persons by individual contribution and these cities and counties have reached their limit of taxation under the Constitution, and the sums of money necessary to care for these unfortunate people, citizens of the State of Texas, are not available and cannot be raised by ad valorem taxation in these cities and counties, and the problem of feeding and clothing these unfortunates is a State-wide responsibility and not a local problem and burden, and should be met and provided for upon a State-wide basis and from State funds; and,

Whereas, On Monday of this week there was held in Austin a meeting of the mayors of the larger cities and county judges of the larger counties, at which meeting it was disclosed that such conditions were State-wide and exist in every center of population and that some action should be immediately taken to relieve the critical situation, and should relief be discontinued in the urban centers that wide suffering and probably disorders of a serious nature will inevitably result; therefore, be it

Resolved, That we call upon the Governor and Legislature of the State of Texas for necessary legislation and the appropriation of public moneys to meet the dire necessities of this situation, and that a committee be appointed to present this resolution and the matter to which it relates, to the Honorable J. V. Allred, Governor of the State of Texas; Hon. Walter F. Woodul, Lieutenant Governor, and the Hon. Coke Stevenson, Speaker of the House of Representatives, with the request that the Governor submit these matters to the Legislature, and that the Legislature enact necessary laws to obtain and provide for the necessary relief.

The foregoing resolution was presented and upon motion passed at the aforesaid meeting this 11th day of October, 1935.

C. L. PITTS,

President, County Judges and
Commissioners Association.

W. R. NELSON,
Secretary.

Committee Reports.

Committee Room,
Austin, Texas, Oct. 12, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 137, A bill to be entitled "An Act creating the Pease River Flood Control District, a conservation and reclamation district, to be a governmental agency, body politic and corporate; prescribing and limiting the powers, rights, privileges, functions and liabilities of such district, and prescribing the manner of their exercise; making an appropriation; declaring the Act to be severable, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, with Committee Amendment No. 1, and be not printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 137 as follows:

After the word "of," in line 2 of Section 6, add the following word: "Vernon."

And, after the words "County of," in line 2, Section 6, add the following words: "Wilbarger, Texas,"

Committee Room,
Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 147, A bill to be entitled "An Act making appropriation of two hundred and fifty-nine dollars and forty-four cents (\$259.44) to pay W. P. McLean, Jr., for twenty-four (24) days attendance as Special Associate Justice of the Supreme Court of Texas, and to pay the sum of three hundred and six dollars and eighty-eight cents (\$306.88) to Alvin C. Owsley for twenty-eight (28) days attendance as Special Chief Justice of the Supreme Court of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, Oct. 12, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Min-

ing, Irrigation and Drainage, to whom was referred

H. B. No. 141, A bill to be entitled "An Act to create the Nueces River Conservation and Reclamation District under the authority of Section 59 of Article 16 of the Constitution of Texas, authorizing subordinate districts and for the creation and government thereof; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Oct. 11, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 105, A bill to be entitled "An Act making an appropriation for the Galveston Psychopathic Hospital, providing for the purpose thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 60, A bill to be entitled "An Act creating a special road law for Swisher County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of July 8, 1935, setting forth the method of operation, validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 123, A bill to be entitled "An Act creating a special road law for Swisher County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of July 8, 1935, setting forth the method of operations; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 140, A bill to be entitled "An Act creating the Leon river flood "An Act creating the Leon River Flood Control, a conservation and reclamation district, to be a governmental agency, body politic and corporate; prescribing and limiting the powers, rights, privileges, functions, and liabilities of such district, and prescribing the manner of their exercise; making an appropriation; declaring the Act severable, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, Oct. 12, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 43, A bill to be entitled "An Act relating to the compensation of district, and certain designated county and precinct officers and providing the method and means by which such officers shall be compensated for their services; providing for the appointment and payment of deputies, assistants and clerks in district, county and precinct offices; limiting the payment

of fees and commissions by the State in certain instances; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

Committee Room,
Austin, Texas, Oct. 12, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 100, A bill to be entitled "An Act to validate all consolidations or attempts at consolidation of a common school district or districts with a contiguous independent school district created by General or Special Law, after elections held under Article 2806, Title 49, Revised Civil Statutes of Texas, 1925, and amendments thereto; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

COTTEN, Chairman.

SIXTEENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
October 14, 1935.

The Senate met at 9:50 o'clock a. m. pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 1.

Pending business was H. B. No. 1 with pending amendment by Senator Sulak.

Senator Rawlings was recognized and asked unanimous consent to suspend the regular order of business and take up H. B. No. 147.

Objection was heard.

House Bill No. 1.

The Sulak amendment failed of adoption by viva voce vote.

The question recurred on adoption of the amendment by Senator Sanderford.

Senator Van Zandt sent up the

following substitute amendment for Sanderford amendment:

Amend H. B. No. 1, page 4, Section 7, by striking out all after the words "consisting of" in the second line of said Section down to and including the words "holding the position," in line 3 on page 6 of said bill and substitute in lieu thereof the following: "Comptroller of Public Accounts, State Tax Commissioner and the Secretary of State of Texas."

VAN ZANDT.

Read.

Motion to Table.

Senator Burns moved to table the amendment by Senator Van Zandt.

The motion to table prevailed by the following vote:

Yeas—23.

Beck.	Nelson.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Davis.	Redditt.
DeBerry.	Regan.
Hill.	Sanderford.
Hornsby.	Shivers.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Woodruff.
Neal.	

Nays—6.

Cotten.	Small.
Holbrook.	Van Zandt.
Rawlings.	Westerfeld.

Absent—Excused.

Fellbaum.	Hopkins.
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Senator Woodruff sent up the following substitute for the Sanderford amendment to H. B. No. 1:

Strike out Section 7, page 4, down to the last paragraph on page 7 and insert:

"Sec. 7. There is hereby created a Liquor Control Division of the Office of the Comptroller of Public Accounts. The Comptroller shall appoint an administrator who shall appoint such inspectors, clerks and stenographers as shall be necessary, with the approval of Comptroller. The salary of said administrator shall be \$6000.00 per year."

WOODRUFF.

Read.

Motion to Table.

Senator DeBerry moved to table the amendment by Senator Woodruff.